

Sample School Council By-Laws

Commonwealth High School

ARTICLE I. PURPOSE

To provide the council with a set of operational guidelines with which to function effectively.

ARTICLE II. MISSION

The mission of the Commonwealth High School Council is to set school policy and make decisions that will provide an environment to improve student achievement and which will enable the teachers to impact the educational process.

ARTICLE III. MEMBERSHIP

A. COMPOSITION

1. The school council shall consist of the principal, three teacher members, and two parent members. The principal shall serve as the chairperson.
2. If the school's total minority enrollment reaches 8 percent or more minority students enrolled as of the preceding October 1, and there was no minority elected in the initial elections, a special election shall be conducted by the principal to elect a minority parent to serve on the school council.
3. In the event a special election is needed, the teachers shall elect a minority teacher from the school's staff. If there are no minority teachers on staff at the school, the teachers shall elect a non-minority teacher to represent the interests of the minority students in the school.
4. If there is a minority teacher on staff and he or she does not wish to serve on the council, the seat shall remain vacant until filled by a minority teacher.
5. Although there is no provision in KRS 160.345 for additional school council members, the school council does not wish to exclude any constituency in the school from participation in all council meetings. Therefore, the Student Council may designate a student council representative, and the support staff of the school (office, cafeteria, custodians, instructional assistants) may conduct an election for a support staff representative to attend all council meetings as ex officio members.
6. Commonwealth High School council membership shall be as follows:
 7. Principal (chairperson)

B. REQUIREMENTS FOR MEMBERSHIP

1. All Members: No one may serve on the school council who has a business interest in the school as designated by KRS 45A.340. New members (those with less than one year of service) must complete six (6) hours of training from a Kentucky Department of Education endorsed trainer. Experienced members (those with more than one year of service) must complete three (3) hours of training from a Kentucky Department of Education endorsed training provider each year, or can meet their training requirement by participating in the new council member training for 3 hours. In the event the council must select a principal, the council is required by law to obtain training in the recruitment and interviewing prior to beginning the principal selection process.

?? New council members will receive the required training.

?? Experienced council members will choose the type of training needed, or can be trained for 3 hours with new council members.

?? The council will prepare a written request for training, and the board will fund required training as needed.
2. Teacher Members: Teacher council members must possess certification required for their position as a basis for employment in Kentucky public schools. Itinerant teachers may nominate, serve, and vote in our school. Counselors may serve as teacher council members. Principals or assistant principals may not serve as teacher council members, nor vote in teacher elections.
3. Parent Members:. The legal definition of parent (KRS 160.345 1.c.) allows biological parents, stepparents, foster parents, or persons who have court ordered legal custody to be nominated or to vote. According to the law, parents who are nominated or who wish to vote must have a child “preregistered to attend” the school for next year. If a child is in Grade 8 this year and will attend our school next year, the parents of that child would be eligible to be nominated, or vote in the election for next year’s school council. Parents of 12th graders who are exiting our school may nominate or vote for candidates.

Parent council members cannot be employed in or be related to someone who is employed in the school or in the district administrative offices. An Attorney General's Opinion [OAG 90-102] says that "relative" as used in this section should have the same definition found in KRS 160.180 and KRS 160.380 that applies to school boards. This means that a parent who is a "*father, mother, brother, sister, husband, wife, son, daughter, aunt, uncle, son-in-law or daughter-in-law*" of someone who works at the school or in the district administrative offices could not be a parent council member. Parent members cannot be a board member or a board member’s spouse, nor can they have a business interest in the school.

C. ELECTIONS

?? Nomination

?? Preparation of Ballot

?? Elections

?? Absentee Ballots

?? Procedures after First Round Ballots

?? Delivery of election materials to the principal the next business day after the election

3. Term Limits: School council members can serve an unlimited number of terms as long as they continue to meet the eligibility requirements.

D. REMOVAL OF MEMBERS

1. According to KRS 156.132, the commissioner of education may recommend removal of a school council member whom he has reason to believe is guilty of immorality, misconduct in office, incompetence, willful neglect of duty, or nonfeasance.
2. A member of a school council may be removed from the council for cause, after an opportunity for hearing before the local board, by a vote of 4/5 of the membership of the board of education after the recommendation of the commissioner of education pursuant to KRS 156.132. Written notices setting out the charges for removal shall be spread on the minutes of the board and given to the member of the school council. KRS 160.347

E. FILLING VACANCIES

If a member of the council resigns or is removed from office, another member shall be elected in a special election held not more than one month after the vacancy occurs. The person elected in the special election shall serve the remainder of the term until July 1, and be eligible for re-election.

F. TERMS OF OFFICE

The terms of parent and teacher members shall begin on July 1 and end on June 30. Between the date of the elections and July 1, members-elect are expected to attend all council meetings.

ARTICLE IV. DUTIES OF OFFICERS AND COUNCIL MEMBERS

A. ELECTION OF OFFICERS

1. Officers shall include Chair, Vice Chair, and Secretary.

B. CHAIR

The principal shall be the chairperson of the school council. Duties of the chair include:

1. Conducting school council meetings
2. Compiling and distributing the agenda for council meetings
3. Serving as official custodian of council records (maintaining minutes of meetings and forwarding a copy to the superintendent after approval of the minutes by the council)
4. Stating when a consensus is present for the record.
5. Coordinating standing and ad hoc committees and monitoring committee progress
6. Carrying out any additional responsibilities as stated in these by-laws
7. Maintaining a file of all correspondence addressed to the school council (these records may only be discarded after having been brought to two council meetings)
8. Other duties as described in these by-laws

C. VICE-CHAIR

1. Duties of the vice-chair shall include:
2. Presiding over council meetings in the absence of the chair
3. Calling a special meeting of the council in the event a principal vacancy occurs
4. Conducting meetings necessary for the principal hiring process to take place

D. SECRETARY

A council secretary shall be appointed by the principal to keep minutes of all council meetings and to maintain council records.

E. COUNCIL MEMBERS

1. Duties of council members include:
2. Knowing and adhering to the mission, philosophy, and goals of Commonwealth High School

ARTICLE V. COMMITTEES

A. PURPOSE

1. Standing and ad hoc committees are established to gain input from all stakeholders including certified and classified staff parents, students, and community member.
2. Standing and ad hoc committees shall serve as a council resource for gathering data and information and making recommendations to the school council.

B. APPOINTMENT OF COMMITTEES

1. Standing and ad hoc committees are formed and dissolved by the school council as needed.
2. Standing committees can be dissolved only through the process of amending by-laws.

C. MEMBERSHIP & ELECTION OF CHAIR

1. All certified staff may participate in the shared decision making process at Commonwealth High School by serving on committees in their areas of interest.
2. Each committee shall consist of representatives from the faculty, support staff, parents, and students.
3. Committee membership is open to interested persons, including school district staff, students, parents and community residents.
4. Committee membership will be determined by posting sign up sheets in the school and community no later than May 1, and notifying teachers and parents in writing of their committee appointment by July 1. Teachers or parents who volunteer to serve on a particular committee through the sign-up process below shall be considered appointed to the committee.
5. Committee membership shall be limited to 15 persons, as the discretion of the school council.
6. Committees shall elect a chairperson from their membership no later than September 1 who shall serve for a term of no longer than one year, and who is eligible to seek re-election.

D. DECISION MAKING

Committee decisions shall be made by consensus. In the event that consensus is not possible, a majority of the committee may decide that an issue shall be decided by majority vote.

E. DUTIES

1. Committees shall carry out tasks assigned to them by the school council.

F. MEETINGS

1. Each committee shall choose the time, place, agenda, and schedule for their meetings.
2. Committees must comply with all provisions of the Open Meetings and Open Records laws.
3. Committees will follow the record keeping procedures used by the school council. All committee meeting minutes should be forwarded to the principal with 3 days of the committee meeting, and the principal will maintain records of the minutes.

G. STANDING COMMITTEES

1. Standing committees for Commonwealth High School shall include: _____
2. Continued need for standing committees will be reviewed and confirmed by the school council each August at the regularly scheduled meeting.
3. A list of standing committees, a brief description of their purpose, and a list of each committee's membership shall be contained in Appendix A of this document.

ARTICLE VI. SCHEDULE OF MEETINGS

A. REGULAR MEETINGS

1. The regular monthly meeting of the Commonwealth High School Council shall be the _____ of every month. Council meetings shall be open to the public. Meetings will begin at ____ p.m. and end at ____ p.m. Meetings shall not exceed ____ minutes. If all items on the agenda have not been adequately discussed after ____ minutes, the council may decide by motion, second and majority vote to extend the length of the meeting or to place the remaining agenda items on the next month's agenda or on the agenda for a special meeting.
2. The regular monthly meetings will be held at Commonwealth High School in the library.
3. The principal shall provide local news media of the council's regular meeting schedule for the year in July, and provide notification of the council's meeting time and agenda at least one week in advance of each regular meeting.
4. The principal shall notify teachers three days in advance of each council meeting during the morning announcements, to include the time, place and agenda items.
5. The principal shall notify the public by notice posted on the bulletin board in the school foyer at least

- ?? Delivery of Notice. The chairperson shall arrange for the notice to be delivered to each council member and to any media organization that has requested notice of council meetings. The delivery can be by hand, FAX machine, email, or mail but the notice must be received by the members at least twenty-four hours prior to the time of the meeting.
- ?? Posting of Notice. The notice for the special meeting shall be posted by the chairperson on the bulletin board in the school foyer at least 24 hours prior to the time of the meeting.
- 2. In addition to these requirements, the principal shall announce to teachers the time and the reason for the special called meeting during announcements at least 24 hours prior to the meeting.

ARTICLE VII. CONDUCT OF MEETINGS

A. QUORUM

A quorum of the school council shall be a majority (one-half plus one) of the council members. No council business shall be discussed or conducted unless a quorum of council members is present.

B. ATTENDANCE AT MEETINGS

Council meetings are open to the public and all interested persons can attend, except for those portions that are conducted as closed session.

C. CLOSED SESSIONS

Definition: A closed session is a portion of a regular or special meeting of the council during which the council members meet in private. The council may meet in closed session for the following reasons:

to discuss proposed or pending litigation by or against a council member [KRS 61.810(1)(c)] ; or
to discuss candidates for a principal vacancy or conduct consultation in filling other vacancies [KRS 61.810(1)(f)].

Before a closed session can be conducted, the following steps must be taken:

1. Announcement: Contents. An announcement of the general nature of the subject to be discussed and the specific section of the law that allows the conduct of the closed session must be announced in the open meeting and recorded in council minutes.
2. Motion. The motion to go into closed session must be made, passed by a majority of council members present, and recorded in council minutes.
3. Closed Session. During the closed session, only the business stated in the announcement can be discussed, and no action may be taken. No minutes are to be taken in closed session. If the council secretary is not a council member, the secretary shall not enter the closed session. Details discussed in closed session shall not be discussed outside the closed session.

?? Monthly financial report from the central office.

?? Lists of applicants for vacant positions

?? Updated SBDM Technical Assistance Materials from the KDE web page

2. The council secretary shall bring the binder that he or she uses to maintain copies of the council's by-laws, policies, annual budget, monthly spending reports, and minutes.
3. All council members shall bring their binders containing copies of the council's by-laws, policies, and school plan.

E. AGENDA

1. Anyone may submit items for inclusion on the agenda to the chairperson/principal in writing on the standard form provided by the Monday prior to a regularly scheduled council meeting. The principal shall maintain a complete file of these items.
2. The chairperson shall prepare an agenda for each council meeting, including items submitted in writing for inclusion by the public, staff, parents, other council members and other items he or she believes should be on the agenda. The chairperson may declare an item received as not within school council authority.
3. Each agenda shall include the following items:
 - Item 1: Setting of the final agenda for the current meeting.
 - Item 2: Review and approval of previous meeting minutes.
 - Item 3: An opportunity during the course of the meeting for school or community persons to address the school council.
 - Item 4: Committee Reports to the School Council
4. At a special called meeting, only the items listed on the notice of meeting can be discussed and no new items can be introduced for discussion or inclusion on the agenda.

F. DISCUSSION OF AGENDA ITEMS

1. The school council shall discuss each agenda item before a decision is made. Each council member shall be given an opportunity to express his or her opinion on the item.
2. Other persons attending the meeting may be recognized by the chairperson and may address the council as the chair calls upon them to speak. If a significant number of persons wishes to contribute to the discussion on a particular item, the chair may require a sign-in sheet, and set limits on the number of persons who will speak to the issue, and a time limit for each.

3. No proposed policy may be approved by the school council at the same meeting at which it was initially proposed for study.
4. All decisions and policies officially adopted by the Commonwealth High School Council will be reported to the board of education and superintendent through submission of approved council minutes to the SBDM district coordinator.
5. The school council will make decisions by consensus except as otherwise designated in the by-laws using the following guidelines:
 - ?? A motion and a second are made.
 - ?? After discussion of an item, the chair or any member may state the consensus of the group in one or two sentences.
 - ?? The chair will ask whether any member disagrees with that statement.
 - ?? If all members agree, the decision will be recorded as a unanimous decision in the council minutes.
 - ?? If a member disagrees, the discussion will continue until a suggestion of consensus is made that draws no disagreement, or until the third suggestion of consensus fails.

H. ALTERNATIVE TO CONSENSUS

When a third suggestion of consensus fails, the council may by majority vote determine to:

1. Vote to send the issue back to a committee
2. Form an ad hoc committee to study the issue further (the motion on this vote shall include a regular meeting date when the council will hear from the committee), or
3. Decide the issue by majority vote of the council

I. CRITERIA FOR MAJORITY VOTE

A majority vote of the council shall be taken after consensus fails three times if the issue meets the following criteria:

1. The issue involves the selection of a new principal: the council shall vote and the candidate receiving the majority shall be selected.
2. The issue involves the number of persons to be employed in each job classification, the textbooks to be purchased, or the budget for or purchase of student support services;

ARTICLE VIII. MINUTES AND OTHER COUNCIL RECORDS

A. MINUTES KEPT AND APPROVED

1. Minutes shall be kept by the designee at each council/committee meeting..
2. The minutes shall reflect an accurate record of actions and votes taken at a council meeting. Minutes shall show the words of the motion or suggestion of consensus, and the majority vote or unanimous support.
3. If the action taken was the adoption of a policy, the entire text of the policy shall be attached to the copy of the minutes kept on file in the library for public inspection and filed in the council's policy manual.
4. The minutes of the school council shall not be official until they are reviewed and approved by the council.
5. A preliminary copy of the minutes for all council meetings will be provided to certified and classified staff in written form within 72 hours of the adjournment of the meeting.
6. A copy of the "official" minutes will be given to the student council.
7. The principal will forward an official copy of the minutes to the superintendent and SBDM District Coordinator, and keep an official copy on file in the school.
8. A copy of the official minutes will be posted on the bulletin board in the foyer by the chairperson.

B. COUNCIL RECORDS AVAILABLE FOR PUBLIC INSPECTION

The following are official documents that must be kept on file for public inspection in the library:

1. School Council Minutes and Agendas
2. Committee Minutes and Agendas
3. Comprehensive Improvement Plan (including Targets for Gap Reduction)
4. School Council Policies and By-Laws
5. School Council Budget Documents not in the School Plan
6. School Council and Committee Membership Lists
7. Official correspondence

5. The requested records must be provided to the person making the request within three business days (The attorney general ruled in 01-ORD-94 (May 2001) that the only days that are excluded are legal holidays and weekends. As a result, the fact that a school may be closed over the winter holidays or spring break and no one is in the office does not prevent the clock from running on the three-day response requirement.)
6. The school council secretary shall make or provide copies of requested documents at the principal or chairperson's request.
7. School council records will be available for inspection during the hours the school's library is open (est. 8:00 a.m. - 3:00 p.m.)
8. The custodian of records for the school shall be the principal, and the principal shall make the final determination regarding which records not listed above are available for inspection and all matters in regards to open records requests not covered in this policy, in compliance with state guidelines and requirements.

ARTICLE IX. APPEALS

A. REQUEST

For a person (s) to appeal a decision of the council or file a grievance he/she must first request in writing an opportunity to be heard and shall include information about the grievance issue.

B. SCHEDULE

A council shall schedule a hearing within thirty (30) working days form the date the request is received. The person appealing shall be informed of the hearing by registered letter.

C. HEARING

The person appealing may be represented by legal council and may call witnesses as long as the testimony is germane to the issue.

D. DECISION

The council shall consider the merits of the complaint, make a decision, and respond writing the complaint.

E. REPORT

A copy of the written grievance or appeal, and a written reply by the council shall be provided to the superintendent with ten (10) working days of the council's decision.

F. BOARD POLICY

April 2003

Policy will be reviewed at least annually, or more often if needed. The council may amend policy following the decision making process outlined in this document.